

SEP 27 2006

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**TO:** Petition United States Patent and Trademark Office

Fax No. 571-273-8300

**FROM:** S. Robert Chuey

Fax No. 513-634-3752

Phone No. 513-634-4223

Application No. : 08/914,743  
Inventor(s) : Michael Kenneth Cerreta *et al.*  
Filed : 08/19/1997  
Docket No. : 6586R  
Confirmation No. : 9009

FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 27, 2006, to the above-identified facsimile number.*

(Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission: \*\*

- 1) Petition For Revival of Application Abandoned Unintentionally (2 pgs)
- 2) Issue Fee previously submitted 12/3/2004
- 3) Fee Address Indication Form
- 4)

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Number of Pages Including this Page: 5

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Comments:

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US PATENT & TRADEMARK  
OFFICE

PTO/SB/64

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number  
6586RFirst Named Inventor: Michael Kenneth Cerreta *et al.*

Application No.: 08/914,743

Art Unit: 1623

Filed: 08/19/1997

Examiner: White, Everett

Title: Flowable Nondigestible Oil and Process for Making

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Attention: Office of Petitions  
 Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (571) 273-8300

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The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

[x] Authorization is given to charge the required fee under 37 CFR 1.17(m), and any additional fees that may be required in connection with submission of this petition, or to credit any overpayment, to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

**2. Reply and/or Issue Fee**

A. The reply to the last Communication from the Office in the form of \_\_\_\_\_ (identify type of reply):

has been filed previously on \_\_\_\_\_.  
 is enclosed herewith.

**B. The issue fee(s)**

[X] was previously paid on December 3, 2004

If the Issue Fee was not received by the PTO then authorization is given to charge the Issue Fee to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company.

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This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

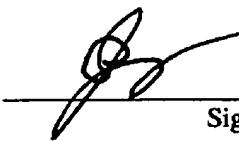
**3. Terminal disclaimer**

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. Statement. The entire delay in filing the Issue Fee from the due date for the payment of the Issue Fee until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. More specifically, the Issue Fee transmittal form was prepared and filed on December 3, 2004 by Mr. Carl Roof (a copy is attached). It recently came to my attention that the US PTO either did not receive the Issue Fee transmittal form, or did not act on it when it was received. In any event, when I became aware of this discrepancy I took immediate action to prepare and file this petition.

9-27-2006

Date



Signature

Telephone Number: (513) 634-0102

S. Robert Chuey

Registration No. 39,140

CUSTOMER NO.: 27752

Enclosures:  Authorization to charge fee(s)

Reply

Issue Fee(s) Transmittal Form

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Fee Address Indication Form

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(Revised for P&G use 04/25/2006)

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